

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ OCT 21 2011 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

ORDER

11-MC-218 (NGG) (JO)

-----X  
In re APPLICATION OF DEBBIE GUSHLAK  
PURSUANT TO 28 U.S.C. § 1782 FOR THE  
TAKING OF DISCOVERY FOR USE IN A  
FOREIGN PROCEEDING  
-----X

NICHOLAS G. GARAUFIS, United States District Judge.

Respondents Myron Gushlak and Yelena Furman move to set aside Magistrate Judge James Orenstein's finding that the district court retains jurisdiction over this matter, and also move to stay the matter pending an evidentiary hearing and pending the resolution of their appeals. (Docket Entry # 65.) The court will review Judge Orenstein's findings as to jurisdiction if and when he issues a recommendation as to Petitioner Debbie Gushlak's motion to hold Respondents in contempt. Respondents' motions for a stay are referred to Judge Orenstein for report and recommendation.

SO ORDERED.

Dated: Brooklyn, New York  
October 19, 2011

s/Nicholas G. Garaufis

\_\_\_\_\_  
NICHOLAS G. GARAUFIS  
United States District Judge